APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,735	03/31/2004	Bharat V. Bedi	GB920030094US1	7199

35525   7590   07/22/2009
IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

EXAMINER
SHAW, PELING ANDY

ART UNIT	PAPER NUMBER
2444	

NOTIFICATION DATE	DELIVERY MODE
07/22/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

	Application No.	Applicant(s)
	10/814,735	BEDI ET AL.
Office Action Summary	Examiner	Art Unit	
	PELING A. SHAW	2444	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 May 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-7,10-14 and 24-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-7, 10-14 and 24-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 05/19/2009 has been entered. Claim 1-3, 5-7, 10-

14 and 24-27 are amended. Claim 28 is new. Claims 1-7, 10-14 and 24-28 were currently

pending.

2.   Amendment received on 11/26/2008 was entered into record. Claims 1-7 and 10-14 were

amended. Claims 8-9 and 15-23 were cancelled. Claims 24-27 were new.

Priority

3.   This application has claimed priority on United Kingdom 0326915.6 filed on 11/19/2003.

The filing date is 03/31/2004.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject matter
> sought to be patented and the prior art are such that the subject matter as a whole would have
> been obvious at the time the invention was made to a person having ordinary skill in the art
> to which said subject matter pertains. Patentability shall not be negatived by the manner in
> which the invention was made.

Claims 1-7, 10-14 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hassett et al. (US 6807558 B1), hereinafter referred as Hassett in view of Goodman et al.

(US 7020697 B1), hereinafter referred as Goodman, Reed et al. (US 6345288 B1),

hereinafter referred as Reed, and Gorodetsky et al. (US 20020124049 A1), hereinafter

referred as Gorodetsky.

a.   Hassett shows (claim 1) a computer implemented method of automatically reloading

a page on a client computing device (column 1, line 57-column 2, line 5: user

receives updated information either in response to automatic polling by push client

software or in response to sending immediate information updates by server), the

computer implemented method comprising storing a page on a server (column 2, lines

22-51: information server stores information items and advertisement; column 14,

lines 45-61: stored on both information server and subscriber computer); transmitting

a copy of the page to a browser of the client computing device in response to a

request from said browser received at said server, said copy of the page being

transmitted to the browser over a network connecting the client computing device to

the server (column 3, lines 6-20: request and retrieve information); responsive to

receiving a real-time notification that the server is updating content of the page stored

on the server (column 1, line 57-column 2, line 5: user receives updated information

in response to automatic polling by push client software; claim 1 and 7: receive

distributive information, determining updated information; column 2, lines 22-51:

information server updates information items and advertisement; column 5, lines 46-

61: selected and edited news stories are stored; column 15, lines 15-44: click on news

item for display primary and secondary news components), determining, by a

message broker, whether a change message is to be communicated to the browser,

based on a user selected list of network addresses for the client computing device

registered with the message broker, wherein the user selected list of network

addresses comprises a plurality of network addresses of pages to be automatically

maintained in an updated form (column 2, lines 52-61: PointCast network is used to

subscribes to channels or topics of interest, user's expressed preferences are captured

in a subscriber profile to control information retrieved from a server in response to

automatic polling or pushing from the server for update; column 14, lines 17-61;

subscriber uses screen saver to view news items displayed, subscriber clicks on

advertisement to access WWW page wherein web site address is used for WWW

connection; column 16, lines 47-67: download news items corresponding to

subscriber's user profile; column 28, lines 48-62: use root-level URLs; column 30,

lines 27-31: data center IP address; Fig. 18, column 48, line 16 to column 49, line 18:

subscribe a PointCast web news channel connection by typing a URL); transmitting

the message to said browser in real-time, by the message broker, in response to the

message broker determining that the network address of the page is registered in the

user selected list of network addresses for the client computing device, wherein the

change message notifies the browser of a change in the content of the page (column 1,

line 57-column 2, line 5: sending immediate information updates). Hassett does not

explicitly show wherein the user selected list of network addresses comprises a user

selected subset of a list of bookmarks stored in said browser; said browser

automatically requests a copy of the updated page; and wherein the page comprises a

hidden applet wherein the hidden applet is used to reload the page, responsive to

receiving the change message (in light of paragraphs 53-57 of published applicant's

specification; a Java applet or the like hidden in a downloaded page, hidden in a

frame, could be implemented as ActiveX or COM object(in light of paragraphs 53-57

of published applicant's specification; a Java applet or the like hidden in a

downloaded page, hidden in a frame, could be implemented as ActiveX or COM

object). However, Hassett also shows (column 2, lines 52-61) information items,

(column 28, lines 48-62) use root-level URLs, (column 9, line 57-column 10, line 6)

local information updated as necessary, (column 1, lines 33-44) local workstation

information, files and/or advertising display refresh, (column 15, lines 4-14 and 40-

44) click and provide additional information, (column 16, lines 47-67) only

downloading news items corresponding to the subscriber's user profile, (column 32,

lines 15-23) prefilter fetch, and (column 24, lines 43-48) implemented in Java script

or Visual Basic embedded in HTML page.

b. Reed shows using bookmarks to facilitate web page subsequent access, Smart
    Bookmarks used to determine changes (column 3, line 64-column 4, line 28) and
    detect update and retrieve information (column 9, lines 13-29). in an analogous art for
    the purpose of computer-base communication using metadata defining a control-
    structure.

c. Goodman shows automatic requested information distribution synchronous or
    asynchronous push/pull services (column 110, line 33-column 111, line 4) in an
    analogous art for the purpose of architectures for netcentric computing systems.

d. Gorodetsky shows updating web page using applet (paragraph 10) and applet may be
    hidden (paragraphs 17-18) in an analogous art for the purpose of asynchronously
    pushing pages to browsers.

e. It would have been obvious to a person of ordinary skill in the art at the time of the
    invention was made to modify Hassett's functions of utilizing information "push"
    technology with Goodman's functions of automatic information request and
    distribution, Reed's fuctions of using bookmarks to track web page access and
    Gorodetsky's functions of using hidden applet for updating web page.

f. The modification would have been obvious because one of ordinary skill in the art
    would have been motivated to utilize Goodman, Gorodetsky and Reed's functions of
    automatic asynchronously or synchronously information updating as applied to
    publish/subscribe services as per Goodman (column 110, lines 46-59), Reed (column
    7, lines 13-58), Gorodetsky (paragraph 9) and Hassett (column 1, line 57-column 2,
    line 5), .

g. Regarding claim 2, Hassett shows wherein the change message is generated by an
    application implementable by the server, wherein the server is an application server
    (column 16, lines 24-35: application server).

h. Regarding claim 3, Goodman shows wherein the message broker is located on the
    application server (column 87, line 58-column 88, line 9: request broker messaging
    services).

i. Regarding claim 4, Goodman shows wherein the message broker is located on a
    message broker server (column 87, line 58-column 88, line 9: request broker
    messaging services).

j. Regarding claim 5, Goodman shows wherein the message broker server comprises a
    publish/subscribe engine and wherein the change message is communicated to the
    browser using a socket transport protocol (column 84, lines 8-15: HTTP over TCP/IP;
    column 85, line 56-column 86, lines 2: publish/subscribe messaging).

k. Regarding claim 6, Hassett shows further comprising: registering the user selected list
    of network addresses with the message broker, wherein the user selected list of
    network addresses comprises a set of network addresses belonging to a set of pages,
    whereby the set of pages are automatically updated (column 2, lines 52-61:
    information items; column 14, lines 45-61: web site address; column 16, lines 47-67:
    download news items corresponding to subscriber's user profile; column 28, lines 48-
    62: use root-level URLs; column 30, lines 27-31: data center IP address).

l. Regarding claim 7, Hassett shows wherein the page is stored in a cache on the client
    computing device (column 14, lines 45-61: stored on both information server and

subscriber computer; Fig. 16 and column 25, lines 3-7: cache used by a local content manager in a client).

m. Regarding claim 10, Reed shows wherein a push client agent is part of the browser, wherein the push client agent receives the change message, wherein the change message comprises a unique network address for a page from the user selected list of network addresses, and wherein the push client agent tells the browser to load the unique network address specified in the change message (R: column 3, line 64-column 4, line 28: using bookmarks to facilitate web page subsequent access, Smart Bookmarks used to determine changes; column 8, lines 34: using push process).

n. Regarding claim 11, Gorodetsky shows wherein the hidden applet operates as the push client agent (paragraphs 2, 10 and 17-18: updating/pushing web page using applet and applet may be hidden).

o. Regarding claim 12, Goodman shows wherein the program code for the push client agent causing said browser to automatically request a copy of the updated page upon receipt of the change message is downloaded from the message broker (column 109, lines 60-column 110, line 16 and 46-59: push services; column 87, line 58-column 88, line 9: request broker messaging services).

p. Regarding claim 13, Goodman shows wherein the content of the page comprises data regarding text, instructions, structure, layout, physical format, links, and media objects for the page (column 75, lines 14-20 and 31-50: Java applet on a HTML page and HTML as web browser form).

q. Regarding claim 14, Goodman shows wherein the content comprises user specific
    data from a user's account, wherein the user specific data is provided from a private
    network connected to the server (column 90, line 46-column 91, line 11:
    authentication for accessing banking through internet).

r. Regarding claim 24, Goodman shows wherein the page is configured as a hyper-text
    markup language file (column 75, lines 14-20 and 31-50: Java applet on a HTML
    page and HTML as web browser form).

s. Regarding claim 25, Reed shows further comprising: responsive to receiving the
    change message when the page is being currently displayed to the user, reloading the
    page that is being currently displayed to the user as an updated copy of the page
    (column 9, lines 13-29: detect update and retrieve information).

t. Regarding claim 26, Reed shows wherein the user selected list of network addresses
    comprises a set of universal resource locator (URL) addresses for locating the user
    selected list of network addresses on the Internet (R: column 3, line 64-column 4, line
    28: using bookmarks to facilitate web page subsequent access, Smart Bookmarks
    used to determine changes; column 14, line 62-column 15, line 7: HTML in URL).

u. Claims 27-28 are a system version and a computer program on recordable medium
    version of claim 1 of same scope. Claim 1 rejection for reasons as per item 'a'
    through 'f' including the obviousness analysis and motivation reasoning applies to
    reasons for claims 26-27 rejections.

Together Hassett, Goodman, Reed and Gorodetsky disclosed all limitations of claims 1-7,

10-14 and 24-28. Claims 1-7, 10-14 and 24-28 are rejected under 35 U.S.C. 103(a).

Response to Arguments

5.   Applicant's arguments filed on 05/19/2009 have been fully considered, but they are not

persuasive.

      a. Applicant argued the limitation of "responsive to receiving a real-time notification

that the server is updating content of the page stored on the server, determining, by a

message broker, whether a change message is to be communicated to the browser,

based on a user selected list of network addresses for the client computing device

registered with the message broker, wherein the user selected list of network

addresses comprises a plurality of network addresses of pages to be automatically

maintained in an updated form, wherein the user selected list of network addresses

comprises a user selected subset of a list of bookmarks stored in said browser" (see

page 9 through 2nd paragraph on page 12 of current amendment). Applicant has re-

stated that (see 2nd paragraph on page 10 of current amendment) Hassett does not

explicitly show said browser automatically requests a copy of the updated page (see

item 'a' in section 3 of office action mailed on 02/17/2009) and wherein the user

selected list of network addresses comprise a user selected subset of the browser

bookmark list (see item 'a' in section 4 of office action mailed on 02/17/2009).

Applicant has argued that (see 3rd paragraph on page 11 of current amendment). As

Goodman has shown (column 110, line 33-column 111, line 4) automatic requested

information distribution synchronous or asynchronous push/pull services, one skill in

the art that push/pull services do provide users selection of service information

updates per users' prescriptions, i.e. user's selection of list of network addresses of

pages. As per item 'a' in section 3 of office action mailed on 02/17/2009, neither

Hassett nor Goodman discloses the limitation with "bookmark". Applicant argues that

Reed does not disclose the limitation (see 2nd paragraph on page 12 of current

amendment). Examiner has reviewed Reed on this limitation with respect to claim 1

language in whole and found that Reed has further disclosed (column 9, lines 13-29)

detecting update and retrieve information. Thus Reed does disclose the argued

limitation with "bookmark".

b. Applicant has amended claim 1 further with the limitation with "hidden applet".

Applicant has thus argued that none of Hassett, Goodman and Reed discloses the

limitation. Examiner has reviewed the limitation in light of paragraphs 53-57 of

published applicant's specification. Examiner has reviewed Hassett, Goodman and

Reed with respect to this limitation. Examiner has searched and found Gorodetsky on

pushing pages to browser. Gorodetsky has shown (paragraphs 17-18) updating web

page using applet (paragraph 10) and applet may be hidden. Claim 1 rejection is

updated to reflect applicant's current amendment and references found from Hassett,

Goodman, Reed and Gorodetsky.

c. All applicant's amendments to claims including the new claim 28 are reviewed in

light of applicant's original specification. Hassett, Goodman, Reed and Gorodetsky in

combination are found to disclose all claimed inventions. Claim rejections are

updated as above.

Remarks

6.   The following pertaining arts are discovered and not used in this office action. Office

reserves the right to use these arts in later actions.

     a. Reilly et al. (US 5740549 A) Information and advertising distribution system and

         method

     b. Tsuji et al. (US 20030220989 A1) Method and system for client browser update

     c. Thomas et al. (US 7523191 B1) System and method for monitoring user interaction

         with web pages

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The

examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for

the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the statu9s of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Peling A Shaw/
Examiner, Art Unit 2444